

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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13 GERARDO OSORIO ORTEGA,
14 Petitioner,
15 v.
16 STATE OF NEVADA, et al.,
17 Respondents.

Case No. 2:18-cv-01630-RFB-GWF

ORDER

18 On September 5, 2018, the Court dismissed this *pro se* petition for writ of habeas corpus
19 as improperly commenced because it was commenced without any petition. (ECF No. 3). In
20 dismissing this action, the Court advised petitioner that no more documents could be filed in this
21 case and that any petition and application to proceed *in forma pauperis* should be filed, if at all,
22 only in a new action. (*Id.*)

23 Thereafter, on October 18, 2018, petitioner filed an application for leave to proceed *in*
24 *forma pauperis* and a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2241. He captioned
25 the filings with this case number and so they were filed in this case. Because this action is closed
26 and petitioner has been advised to file any new pauper application and petition in a new action
27 only, **IT IS ORDERED** the application for leave to proceed *in forma pauperis* and petition filed
28 on October 18, 2018, (ECF No. 5 & 5-1) are hereby **STRICKEN**.

1 **IT IS FURTHER ORDERED** that the Clerk shall send petitioner a copy of the pauper
2 application and petition filed with the Court on October 18, 2018 (ECF Nos. 5 & 5-1).

3 **IT IS SO ORDERED.**

4 DATED this 29th day of October 2018.



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6 RICHARD F. BOULWARE, II
7 UNITED STATES DISTRICT JUDGE
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